

**BARTKOZANKEL**  
 Bartko-Zankel-Tarrant-Miller | Lovitt & Harmon, Inc. of Counsel  
 900 Front Street, Suite 300  
 San Francisco, CA 94111  
 Phone (415) 956-1900 • Fax (415) 956-1152

William I. Edlund, State Bar No. 25013  
 Alyson L. Huber, State Bar No. 202713  
 BARTKO, ZANKEL, TARRANT & MILLER  
 A Professional Corporation  
 900 Front Street, Suite 300  
 San Francisco, California 94111  
 Telephone: (415) 956-1900  
 Facsimile: (415) 956-1152  
 wedlund@bztm.com  
 ahuber@bztm.com

Michael L. Rosen, *Admitted Pro Hac Vice*  
 John E. Duke, *Admitted Pro Hac Vice*  
 FOLEY HOAG LLP  
 155 Seaport Boulevard  
 Boston, MA 02210  
 Telephone: (617) 832-1000  
 Facsimile: (617) 832-7000  
 mrosen@foleyhoag.com  
 jduke@foleyhoag.com

Attorneys for Defendant POWER MEDICAL INTERVENTIONS

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

MYRICK TANTIADO, an individual,

Plaintiff,

v.

POWER MEDICAL INTERVENTIONS, a  
 Delaware corporation, and DOES ONE through  
 FIFTY, inclusive,

Defendants.

No. 3:07-cv-02874-CRB

**[PROPOSED] ORDER ON  
 DEFENDANT POWER MEDICAL  
 INTERVENTIONS, INC.'S MOTION  
 FOR PARTIAL SUMMARY  
 JUDGMENT**

The motion of Defendant Power Medical Interventions, Inc. for partial summary judgment came on regularly for hearing on September 19, 2008. Both parties were represented by counsel. After considering the pleadings and papers filed in this matter, the Court finds that there are no triable issues of material fact and that Defendant is entitled to summary judgment as a matter of law on (1) Count I of Plaintiff's Complaint, and (2) the portion of Count II of Plaintiff's Complaint

alleging that Defendant unlawfully failed to reimburse Plaintiff for expenses incurred on Defendant's behalf as required by Cal. Lab. Code § 2802.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2008.

Hon. Charles R. Breyer  
United States District Court Judge

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